



Zoning Department  
101 Fillmore St, P.O. Box 466  
Preston, Minnesota 55965  
(507)765-3325

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Planning & Zoning

Feedlot Permits

Septic System Permits

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**Fillmore County Board of Adjustment  
Fillmore County Courthouse  
Preston, Minnesota 55965  
December 15, 2022  
7:00 p.m.**

- 7:00 p.m.      Open meeting
- Approve minutes of August 18, 2022 meeting  
                  Introduce items for next meeting
- 7:02 p.m.      Public Hearing on an after-the-fact Variance Permit application by Clarence  
                  Flemming, Jordan Township
- 7:10 p.m.      Adjourn



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## NOTICE

The Fillmore County Board of Adjustment will conduct a tour on Monday, December 12, 2022. They will leave the highway shop at 9:00 a.m. and visit a site in Jordan Township where Clarence Flemming has submitted an application for an after-the-fact Variance.

The Fillmore County Board of Adjustment will then conduct a public hearing on the application on Thursday, December 15, 2022 at 7:00 p.m. in Room 601L in the Fillmore County Courthouse at 101 Fillmore Street, Preston, MN.

**Cristal Adkins**  
**Fillmore County Zoning Administrator**



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## NOTICE

Notice is hereby given that the Fillmore County Board of Adjustment has been presented an application from Clarence Flemming of 29180 Morgan Road, Wykoff, MN 55990 for a 43 foot Variance from Section 604.05(2)(a) of the Fillmore County Zoning Ordinance for a ground mount solar array on his parcel located in the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 26, Jordan Township. The land is located in an Agricultural District.

Notice is further given that said petitioner Clarence Flemming will be heard at a monthly meeting of the Fillmore County Board of Adjustment on December 15, 2022 at 7:02 p.m. in Room 601L of the Fillmore County Courthouse at 101 Fillmore Street, Preston, MN, 55965 at which time all interested persons will be heard. If you would like any further information on this project, it is available in the Fillmore County Zoning Office during office hours of 8:00 a.m. to 4:30 p.m. Monday through Friday or on the Fillmore County website [www.co.fillmore.mn.us](http://www.co.fillmore.mn.us)

Dated: November 25, 2022

**Cristal Adkins**  
**Fillmore County Zoning Administrator**

**FILLMORE COUNTY BOARD OF ADJUSTMENT MEETING  
FILLMORE COUNTY COURTHOUSE, PRESTON MN  
MINUTES – AUGUST 18, 2022**

**CALL TO ORDER**

At 7:00 p.m. Chairman Andy Bisek called the meeting to order. On a motion by Ruskell and seconded by Duxbury, the minutes from May 19, 2022 we approved. Zoning Administrator Adkins said we currently have no applications brought before the Board of Adjustment for a September meeting.

**ATTENDANCE**

Board members present: Gary Ruskell, Steve Duxbury, Andy Bisek, and Trinity Johnson.  
Absent: Tom Thompson. Others present: Duane Bakke, Arlynn Hovey, Michael Apenhorst, John Apenhorst, Brett Pederson, Debra Mjelde, Ronald Reisner, Karen Reisner, Cristal Adkins and Kristi Ruesink.

**VARIANCE PUBLIC HEARING, MICHAEL APENHORST, FORESTVILLE TOWNSHIP**

Michael Apenhorst of 20898 County Road 14 came before the Board to request a 27 foot Variance from Section 604.05(2)(a) of the Fillmore County Zoning Ordinance to construct a silage bunker 80 feet from the centerline of the road.

Chair Bisek opened the public hearing portion of the meeting. Hearing none, Bisek closed that portion of the meeting.

Adkins noted that the section of the road right of way is 60 feet.

On motion by Ruskell and seconded by Duxbury, the Board of Adjustment voted unanimously to approve the variance as requested.

**VARIANCE PUBLIC HEARING, BRETT PEDERSON & DEBRA MJELDE, FILLMORE TOWNSHIP**

Brett Pederson came before the Board to request a 18 foot Variance from Section 604.05(2)(a) of the Fillmore County Zoning Ordinance to construct a work shop/storage building on their parcel located in the SE ¼ of the NW ¼ Section 9, Fillmore Township.

Chair Bisek opened the public hearing portion of the meeting. Hearing no more comments, Bisek closed that portion of the meeting.

On motion by Johnson and seconded by Ruskell, the Board of Adjustment voted unanimously to approve the variance as requested.

**VARIANCE PUBLIC HEARING, KEVIN & TAMMI MCKINNEY, ARENDAHL  
TOWNSHIP**

Adkins noted that Kevin & Tammi McKinney were unable to attend. Adkins explained that Daren Hofschulte of Hofschulte Backhoe and Septic, LLC is representing Kevin & Tammi McKinney, of 17201 15<sup>th</sup> St. SE, Dover, MN 55929 for a Variance from Section 501 of the Fillmore County Sub-surface Sewage Treatment System Ordinance, referencing Minnesota Rules Chapters 7080 through 7083.

Adkins explained that according to the Minnesota Rules a variance must be requested when a parcel does not allow for a viable site for a type I systems, therefore a type III system would need to be installed.

Chair Bisek opened the public hearing portion of the meeting and asked for public comment. Hearing none, Bisek closed that portion of the meeting.

On motion by Johnson and seconded by Ruskell, the Board of Adjustment voted unanimously to approve the variance as requested.

**ADJOURN**

On motion by Ruskell and seconded by Johnson, the meeting was adjourned at 7:15 p.m.

Respectfully submitted

*Kristi Ruesink*  
*Accounting Technician*  
*Fillmore County Zoning Office*